Application No.: 10/081,076 5 Docket No.: 252312006002

# **REMARKS**

Claims 28, 29, 31-40 and 42-47 were pending in the present application. Claims 33-37 were withdrawn from consideration. After the amendments of the response dated March 29, 2006 have been entered, claims 28-29, 31-32, 38-40 and 42-47 are under examination. By virtue of this response, claims 31, 33-37, and 42 have been cancelled. Accordingly, claims 28, 29, 32, 38-40 and 43-47 are currently under consideration. No new matter has been added.

With respect to claim amendments and cancellation, Applicants have not dedicated or abandoned any unclaimed subject matter and moreover have not acquiesced to any rejections and/or objections made by the patent office. Applicants expressly reserve the right to pursue prosecution of any presently excluded subject matter or claim embodiments in one or more future continuation and/or divisional application(s).

# Rejections under 35 U.S.C. §112, first paragraph

Claims 31 and 42 are rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description requirement.

In the interest of expediting prosecution, Applicants are canceling claims 31 and 42, thereby rendering this rejection moot. Accordingly, the Applicants respectfully request that the Examiner withdraw this rejection.

### Allowance of Claims 28, 29, 32, 38-40 and 43-37

In the Office Action mailed on June 14, 2006, the Examiner indicated that claims 28, 29, 32, 38-40 and 43-37 are allowed. Applicants thank Examiner Saunders and request that the Examiner issue a Notice of Allowance for these claims.

### Miscellaneous

Applicants have withdrawn claims 33-37 in a previous response. In view of the allowable subject matter at hand, Applicants request the cancellation of claims 33-37.

# **CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. <a href="mailto:252312006002">252312006002</a>. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

By

Dated: November 14, 2006

Respectfully submitted,

Terri Shieh-Newton

Registration No.: 47,081 MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304-1018

(650) 813-5777